

# **EXHIBIT 5**

## Ryan Cordell

---

**From:** Louis F. Teran <lteran@slclg.com>  
**Sent:** Friday, August 9, 2024 4:50 PM  
**To:** Courtney Ervin; Ryan Cordell  
**Cc:** 'Cupar, David B.'; 'Cavanagh, Matthew J.'  
**Subject:** Re: URGENT - RE: Spectrum v. URZ URGENT

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Please let me know which computer was imaged and which computer needs yo be preserved.

Thank you

Louis Teran

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

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**From:** Courtney Ervin <cervin@hicks-thomas.com>  
**Sent:** Friday, August 9, 2024 12:51:09 PM  
**To:** Louis F. Teran <lteran@slclg.com>; Ryan Cordell <rcordell@hicks-thomas.com>  
**Cc:** 'Cupar, David B.' <dcupar@mcdonaldhopkins.com>; 'Cavanagh, Matthew J.' <mcavanagh@mcdonaldhopkins.com>  
**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

Mr. Hughes is on his way to URZ now to return the computers. Because of the level of damage, Mr. Hughes was not able to complete the analysis of one of the computers, and doing so would require a significant amount of time and expense. Accordingly, please preserve the computers so that the analysis can be completed at a later date.

---

**From:** Louis F. Teran <lteran@slclg.com>  
**Sent:** Friday, August 9, 2024 1:33 PM  
**To:** Courtney Ervin <cervin@hicks-thomas.com>; Ryan Cordell <rcordell@hicks-thomas.com>  
**Cc:** 'Cupar, David B.' <dcupar@mcdonaldhopkins.com>; 'Cavanagh, Matthew J.' <mcavanagh@mcdonaldhopkins.com>  
**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT  
**Importance:** High

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have been informed that URZ provided access to all its facilities and ESI assets yesterday. Please confirm. In addition, per our emails below, I have been informed that your ESI vendor took the two computers to his laboratory for further analysis. Please provide us with copies of data that is extracted from the computers as URZ is in dire need of it.

In addition, please provide me with information as to what time today the computers will be returned to URZ. I am informed that URZ is willing to pick up the computers to lower the burden on you.

I look forward to your prompt response.

Thank you

**Louis F. Teran**

Attorney at Law

**SLC Law Group**

1055 E. Colorado Blvd., Suite #500

Pasadena, CA 91106

Phone: (818) 484-3217 x200

Fax: (866) 665-8877

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---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Sent:** Thursday, August 8, 2024 11:00 AM

**To:** 'Courtney Ervin' <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>; 'Ryan Cordell' <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

Based on your email below, your ESI vendor is authorized to take the two computers and return them by end of business day tomorrow. I just confirmed with URZ that everything is in order for this evening at 6pm.

Feel free to contact me with any comments or questions.

Thank you

**Louis F. Teran**

Attorney at Law

**SLC Law Group**

1055 E. Colorado Blvd., Suite #500

Pasadena, CA 91106

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Fax: (866) 665-8877

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---

**From:** Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>

**Sent:** Thursday, August 8, 2024 6:42 AM

**To:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

Louis – Spectrum’s vendor will take the computers and do an analysis at his location and return the computers as you’ve stated subject to a full reservation of rights should Spectrum not be able to complete the forensic analysis during the time period. For the avoidance of doubt, if the collection cannot be completed, the computers will still be returned and Spectrum will seek relief from the Court to complete the analysis.

---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Sent:** Wednesday, August 7, 2024 4:58 PM

**To:** Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

URZ has agreed to follow the plan outlined in your email below with regards to phones and physical inspection. URZ will await your ESI vendor at its facility tomorrow, August 8, 2024, at 6pm. Please be there promptly.

With regards to the computers, the Order is NOT a seizure order and Mr. Cupar informed that Court on the record that nothing would be taken. However, in light of the recent development with the computers, URZ has agreed to allow your ESI vendor to take the computers for one day only. The computers must be returned by end of business on Friday, August 9, 2024. Let me know if you are agreeable to this time limitation. Until we agree on the time limitation, you are not authorized to take the computers or anything else. To be clear, as previously discussed, your ESI vendor is free to image the computers at URZ’s facility tomorrow if you decide not to take them for further analysis. But, if your ESI vendor wishes to take the computers, then we will need to agree to the above-identified time limitation ahead of 6pm tomorrow.

With regards to your improper comment, there is nothing dubious about URZ and these circumstances. What is dubious is that we originally agreed on a July date to conduct this inspection and you decided to abort on the morning of the agreed date in July. The two computers were working just fine at that time and I had confirmed with you that morning that everything was in place for the imaging and inspections. The notion that the roads were not passable is not entirely true because URZ’s representatives were at URZ’s facility ready to facilitate the inspection and ESI imaging last month on the agreed date. They passed through the roads just fine. It is also dubious that you could not conduct the inspections the day after or the day after that purportedly because your ESI vendor had

suffered storm damage. Nevertheless, we look forward to getting this out of the way tomorrow so that we may proceed with the MSJ and/or trial in this case.

Feel free to contact me with any comments or questions.

Thank you

**Louis F. Teran**  
Attorney at Law  
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---

**From:** Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>  
**Sent:** Wednesday, August 7, 2024 11:41 AM  
**To:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>  
**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>  
**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

Louis:

The vendor, Mr. Hughes, and Spectrum's counsel will be at URZ tomorrow at 6pm for the onsite inspection of URZ's books and records and to do the phone collection. The vendor will take the 2 computers back to his office for that collection. To be clear, it is customary for ESI collection to occur at the vendor's location, and the vendor doing the collection at his office would not be a "seizure" or inconsistent with the Court's order.

As to your statement that the onsite inspection occurred on the original date, that is of course not true as there was a hurricane. As our email told you, the streets were not passable. That inspection will occur simultaneously with the onsite collection of the phones. Nor has Spectrum agreed that URZ has complied with the Order and, regardless, URZ plainly has not

If tomorrow's inspection and/or collection is impeded in any way by URZ, we will go to the Court to seek the appropriate relief. Your eleventh hour email that URZ's two computers have suddenly stopped working and attempting to change the procedure for the collection is dubious. URZ must preserve all information relating to these alleged computer problems.

Best regards,

Courtney

---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>  
**Sent:** Wednesday, August 7, 2024 12:49 PM  
**To:** Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>  
**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>; Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>  
**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

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In addition, to my email below, please note that URZ will provide all necessary passwords, codes, or other information to the devices and emails tomorrow. Such will be provided directly to your ESI vendor. Sorry for not including this in my email below.

Thank you

**Louis F. Teran**  
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**SLC Law Group**  
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---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>  
**Sent:** Wednesday, August 7, 2024 10:41 AM  
**To:** 'Ryan Cordell' <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>  
**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>; 'Courtney Ervin' <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>  
**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT  
**Importance:** High

The Order is NOT a seizure order. Therefore, we cannot allow that phones to be seized in any way. For this reason, I suggested that URZ's courier can deliver the phones to your ESI vendor and wait for the imaging to be completed. We cannot agree to the phones being taken without a URZ courier or representative. However, we are fine with leaving the computers with your ESI vendor for one full day because of the recent development. We think your ESI vendor may need special tools or more time to access the data since the computers do not seem to

work. Please confirm which you prefer: 1) URZ delivers the devices as discussed above or 2) your ESI vendor goes to URZ's facility at 6pm.

With regards to the in-person inspection, it is my understanding that such inspection already took place or should have taken place last month. I know that URZ had representatives onsite on the original date of last month. My subsequent communications with you confirmed that the only item remaining was the ESI imaging. If this is not accurate, then let me know as soon as possible so I can check with URZ. But certainly, per our prior emails, August 8 is only reserved for ESI imaging, not in-person inspection.

I look forward to your prompt response. Time is of the essence since we need to plan accordingly for tomorrow.

Thank you

**Louis F. Teran**

Attorney at Law

**SLC Law Group**

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Pasadena, CA 91106

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---

**From:** Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Sent:** Wednesday, August 7, 2024 10:26 AM

**To:** 'Louis F. Teran' <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>;

Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>

**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

Mr. Teran,

In response to your email, please see the following:

ESI Collection of Phones and Devices

Spectrum will send a courier to pick up the computers and phones on the morning of Thursday, August 8. Please advise what time the courier should arrive at URZ's facility. My understanding is that URZ's location opens at 10:00 a.m. CST, but Spectrum can have a courier at URZ's facility as soon as URZ is available to hand over the devices.

The ESI vendor will first image the phones, and return them via courier as soon as they are complete. This will be completed on August 8 provided that URZ fully cooperates with Mr. Hughes, the vendor, to provide all necessary information for the collection.

Next, the vendor will proceed with the computers. Because the computers are "not working," the collection may take longer. The Court's Order (attached) does not provide a time limit for the ESI collection. The ESI vendor will return the computers as soon as collection is finished.

For both the computers and the phones, please ensure that URZ provides all necessary login/password or other access information.

ESI Collection of Email Accounts

Per the Court's Order, please provide the passwords for URZ's email accounts. There is no justification for URZ's continued failure to provide this information.

In-Person Inspection

Also per the Court's Order, Spectrum is still entitled to a physical inspection of URZ's business location and business records. Please confirm that the in-person inspection will proceed as originally agreed, on August 8, 2024 at 6:00 p.m.

Thank you,



**D. Ryan Cordell, Jr.**

Associate

713-547-9130 | Phone

713-547-9150 | Fax

700 Louisiana Street, Suite 2300

Houston, TX 77002

[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)

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---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Sent:** Tuesday, August 6, 2024 5:27 PM

**To:** Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>; Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

**Importance:** High

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Mr Cordell,

I was just informed of a development which may help with the collection of ESI information. It seems that URZ's two computers stopped working late last week. It is not clear why the computers stopped working. As a result, URZ just acquired two new computers that it got installed and started using as of yesterday and today. So the two prior computers are no longer being used by URZ. These have been set aside and will be untouched until your imaging is completed.

Since the two computers are no longer of any use to URZ, we can have them delivered to your ESI vendor for imaging at his/her office. Although the computers are not working for URZ's purposes, I would hope that your ESI



vendor can still pull the data from the drives. Besides, it seems that electricity and internet is still not fully reliable at URZ's facility. Also, since the computers are not working, your ESI vendor may need special equipment in his/her shop. In addition, this allows the imaging to take place during business hours without having anybody to work after 5pm.

If this is agreeable, I can coordinate with URZ to deliver the two computers and the cell phones to your ESI vendor first thing in the morning of Thursday, August 8. The courier would wait until the cell phones are completely imaged first and then return the cell phones to URZ. But your ESI vendor can keep the two computers for the full day for complete imaging. We can then arrange URZ to pick the computers up at the end of the day or the day after.

Let me know if this is agreeable.

Thank you

**Louis F. Teran**  
Attorney at Law  
**SLC Law Group**  
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---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>  
**Sent:** Monday, August 5, 2024 10:51 AM  
**To:** 'Ryan Cordell' <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>; 'Courtney Ervin' <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>  
**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>  
**Subject:** RE: URGENT - RE: Spectrum v. URZ URGENT

Correct. Terms of ESI collection are the same.

Thank you

**Louis F. Teran**  
Attorney at Law  
**SLC Law Group**  
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---

**From:** Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>  
**Sent:** Friday, August 2, 2024 12:09 PM  
**To:** 'Louis F. Teran' <[lteran@slclg.com](mailto:lteran@slclg.com)>; Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>  
**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>  
**Subject:** URGENT - RE: Spectrum v. URZ URGENT

Per your out-of-office, I am re-sending this message with URGENT in the subject line.



**D. Ryan Cordell, Jr.**  
Associate  
713-547-9130 | Phone  
713-547-9150 | Fax  
700 Louisiana Street, Suite 2300  
Houston, TX 77002  
[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)  
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---

**From:** Ryan Cordell  
**Sent:** Friday, August 2, 2024 1:28 PM  
**To:** 'Louis F. Teran' <[lteran@slclg.com](mailto:lteran@slclg.com)>; Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>  
**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>  
**Subject:** RE: Spectrum v. URZ URGENT

Thank you, Louis. We will conduct the inspection and ESI collection on that date.

For the avoidance of doubt, I presume the time and terms for the ESI collection the same as in your prior correspondence? (except the difference in date):

"I am in receipt of your email below and your voicemail. URZ has just confirmed that it is ready for the inspection and ESI imaging to take place pursuant to the Court's Order on Monday, July 8, 2024 at 6 pm, as I indicated in my prior email. All the devices will be made available at that time along with all passwords, pins, or anything else needed for full access. As was previously discussed, the ESI imaging or collection must be done on-site. The devices cannot be removed from the site. Your ESI vendor will be able to stay there for as long as it takes to complete the imaging process. Since this will take place after business hours, there is no preference on which

device to image first. Your ESI vendor can choose how to proceed with imaging. In addition, as required by the Court order, the facility will be available for physical inspection as well.”

Thanks



**D. Ryan Cordell, Jr.**

Associate

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700 Louisiana Street, Suite 2300

Houston, TX 77002

[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)

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---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Sent:** Wednesday, July 31, 2024 4:01 PM

**To:** Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** Re: Spectrum v. URZ URGENT

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have confirmed with URZ that August 8 is agreeable for ESI collection.  
Feel free to contact me with any comments or questions.

Louis Teran

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

---

**From:** Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>

**Sent:** Tuesday, July 30, 2024 7:52:34 AM

**To:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: Spectrum v. URZ URGENT

Louis – I’m sorry, I meant August 6, 7 or 8. Mr. Hughes is not available Aug. 9. I look forward to your response.

---

**From:** Courtney Ervin

**Sent:** Monday, July 29, 2024 3:00 PM

**To:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: Spectrum v. URZ URGENT

Louis:

Spectrum can agree to schedule the ESI collection next week on either August 6, 7 or 9, but the date needs to be agreed to this week. Please let me know what date works for URZ.

Best regards,

Courtney

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**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Sent:** Thursday, July 25, 2024 1:01 AM

**To:** Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** Re: Spectrum v. URZ URGENT

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am in receipt of your email below. As I indicated previously, I am currently out of the country on vacation. In addition, as I indicated previously, the main representative for URZ is also out of the country on vacation scheduled to return on or around August 4. However, I will try to coordinate this with URZ for the week of August 2. I will let you know. However, being that the main representative returns on August 4, I think this can very likely be scheduled for the week of August 4. I will keep you posted.

Louis Teran

Sent from my Verizon, Samsung Galaxy smartphone

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**From:** Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>

**Sent:** Monday, July 22, 2024 11:32:53 PM

**To:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: Spectrum v. URZ URGENT

Per your out of office, I am adding "URGENT" in the subject line.

---

**From:** Courtney Ervin

**Sent:** Monday, July 22, 2024 5:31 PM

**To:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>; Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: Spectrum v. URZ

Louis,

You have stated that you will continue to work with URZ to ensure its compliance with the discovery order, but you have not provided an update. We assume power and internet at URZ's facility have been reliably restored. Please confirm that is the case.

Assuming URZ has power and internet, please provide dates for the inspection of URZ's facility and collection of ESI on the following dates: July 25 or July 29-Aug 2.

Regarding the passwords, the Court's order, granted months ago, required URZ to provide information regarding its email accounts, including the passwords. These accounts may be imaged remotely. Per your request, Spectrum's ESI vendor signed and is bound by the protective order entered in this case. Your expressed concern regarding fear that you would inadvertently disclose of your client's highly confidential passwords is unfounded and is no basis for URZ's continued violation of the Court's Order. Regardless, we have repeatedly offered URZ the opportunity to speak directly with the ESI vendor, Mr. Hughes. Accordingly, please arrange to have the required information provided to him by July 24 so that he can begin the email collection.

As to why the ESI has not already been collected, the collection has been prevented by URZ's ongoing failure to comply with the Court's order. The collection should have been completed long before Hurricane Beryl.

Should URZ fail to permit the complete collection of data on or before August 2, Spectrum will seek further relief from the Court.

Best regards,

Courtney

---

**From:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Sent:** Friday, July 5, 2024 3:31 PM

**To:** Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Cc:** 'Cupar, David B.' <[dcupar@mcdonaldhopkins.com](mailto:dcupar@mcdonaldhopkins.com)>; Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>; 'Cavanagh, Matthew J.' <[mcavanagh@mcdonaldhopkins.com](mailto:mcavanagh@mcdonaldhopkins.com)>

**Subject:** RE: Spectrum v. URZ

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am in receipt of your email below and your voicemail. URZ has just confirmed that it is ready for the inspection and ESI imaging to take place pursuant to the Court's Order on Monday, July 8, 2024 at 6 pm, as I indicated in my prior email. All the devices will be made available at that time along with all passwords, pins, or anything else needed for full access. As was previously discussed, the ESI imaging or collection must be done on-site. The devices cannot be removed from the site. Your ESI vendor will be able to stay there for as long as it takes to complete the imaging process. Since this will take place after business hours, there is no preference on which device to image first. Your ESI vendor can choose how to proceed with imaging. In addition, as required by the Court order, the facility will be available for physical inspection as well.

It is important to note that this entire process must be treated as HIGHLY CONFIDENTIAL pursuant to the Protective Order. I will need the signed Exhibit A from all the individuals that will be present or participate in this process.

Specific information regarding the devices will be provided on-site to the best of URZ's ability. Note that URZ is not an expert on these devices and may not know details of Operating System or size of hard drives. However, the devices will be made available and accessible for your ESI vendor to do its job.

I hope this addresses all the pending issues. Feel free to contact me with any comments or questions.

Thank you

Louis F. Teran

# Attorney at Law SLC Law Group

1055 E. Colorado Blvd., Suite #500  
Pasadena, CA 91106  
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**From:** Ryan Cordell <[rcordell@hicks-thomas.com](mailto:rcordell@hicks-thomas.com)>

**Sent:** Friday, July 5, 2024 7:16 AM

**To:** Louis F. Teran <[lteran@slclg.com](mailto:lteran@slclg.com)>

**Cc:** Cupar, David B. <[dcupar@mcdonaldhopskins.com](mailto:dcupar@mcdonaldhopskins.com)>; Courtney Ervin <[cervin@hicks-thomas.com](mailto:cervin@hicks-thomas.com)>; Cavanagh, Matthew J. <[mcavanagh@mcdonaldhopskins.com](mailto:mcavanagh@mcdonaldhopskins.com)>

**Subject:** Spectrum v. URZ

Mr. Teran,

Thank you for providing the information requested in our May 9 Letter, and making URZ's facility and ESI available on Monday.

We will also need the following information to gather the ESI from the devices:

1. Hard Drive size for each computer – needed to estimate how long imaging of each computer will take
2. Operating System (OS) for each computer – needed to determine correct tools to take image
3. All access information including passwords, encryption keys, and PIN codes for each phone – needed to access the devices
4. All access information including usernames, passwords, encryption keys, administrator usernames and passwords for each computer – needed to access the devices

We would like to have a call with you today to talk over some details to ensure this process goes smoothly and efficiently. **Can you please advise of your availability today?** We would like to discuss topics such as the following:

1. Minimizing business disruption and device preference – for example, does URZ require that the computer acting as the server be imaged first so it can be back up and running as soon as possible? Would URZ prefer that we image the cell phones first so they can be returned to their owners?

2. Coordinat  
ion – for  
example,  
whether  
URZ



prefers  
Spectrum’s  
s vendor  
to  
perform

the ESI  
collection  
on-site, or  
whether  
URZ will

let  
Spectrum's  
vendor  
take the  
devices

back to  
his office  
for  
overnight  
processin

g and re-  
delivery  
when  
complete.  
Similarly,

if  
collection  
is to be  
performed  
on-site,

our  
vendor  
will need  
a suitable  
space to

perform  
the work  
and  
power.

3. Estimated timing and duration of the collection, which will depend on the size of the devices and location where the ESI is collected.

Thank you,





**D. Ryan Cordell, Jr.**

Associate

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